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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

BRANDY WELCH (formerly known as)	Case No. 2:13-cv-01089-RFB-GWF
BRANDY ROODE) and HEATHER)	
BLACKMUN, on behalf of themselves and)	ORDER PRELIMINARILY APPROVING
all others similarly situated,)	CLASS ACTION SETTLEMENT
)	
Plaintiffs,)	
)	
vs.)	DATE: August 18, 2016
)	TIME: 1:00 p.m.
)	CTRM: 7C
GOLDEN GATE CASINO, LLC, d/b/a)	JUDGE: Hon. Richard F. Bouleware, III
GOLDEN GATE HOTEL & CASINO; and)	[CLASS ACTION]
DOES 1 through 50, inclusive,)	
)	
Defendant.)	

On August 18, 2016, the Court considered the parties Joint Motion for Preliminary Approval of Class Action Settlement and the papers submitted in support thereof. Joshua D. Buck of Thierman Buck, LLP appeared on behalf of Plaintiffs, Brandy Hill (formerly known as Brandy Roode and formerly known as Brandy Welch) and Heather Blackmun, on behalf of themselves and all others similarly situated (hereinafter “Plaintiffs”) and Peter F. Klett, III of Dickinson Wright PLLC appeared on behalf of Defendant, Golden Gate Casino, LLC. Having considered the parties Joint Motion for Preliminary Approval of Class Action Settlement and the papers submitted in support thereof, including the Settlement Agreement, the Court states and orders as follows:

IT IS HEREBY ORDERED, ADJUDGED AND DECREED THAT:

(1) The settlement in the maximum amount of Seven Hundred Fifty Thousand and 00/100 Dollars (\$750,000.00) as reached between the parties is preliminarily found to be fair, reasonable and adequate in light of the facts and law presented in this case, and the settlement is hereby granted preliminary approval.

(2) The Settlement Agreement and General Release of Claims (“Settlement Agreement”) between Plaintiffs and Defendant, which is attached as **Exhibit 1** to the Declaration of Leah L. Jones filed in support of the Joint Motion for Preliminary Approval of Class Action Settlement, is hereby preliminarily approved.

(3) This Order incorporates by reference the definitions in the Settlement Agreement, and all terms defined therein shall have the same meaning in this Order.

(4) For purposes of settling this action only, the Court finds that the requisites for establishing class certification have been met. More specifically the Court finds as follows:

(a) The Settlement Class Members are so numerous as to make it impracticable to join all class members;

(b) The Settlement Class Members are ascertainable;

(c) Common questions of law and fact exist;

(d) Named Plaintiffs’ claims are typical of the claims of the Settlement Class;

1 (e) The prosecution of separate actions by individual
2 members of the Settlement Class would create the risk of
3 inconsistent or varying adjudications, which could establish
incompatible standards of conduct for Defendant; and

4 (f) Questions of law or fact common to members of the
5 Settlement Class predominate over individual questions, and a
6 class action is superior to the available means for the fair and
efficient adjudication of the claims.

7 (5) The Court finds that the Settlement Class shall consist of the following:

8 Nevada Class: All persons employed by Defendant who were non-union, non-
9 exempt, hourly employees who were eligible for overtime and incentives under Defendant's
10 pay plans and who were employed in such a position between December 17, 2009 and the date
11 of preliminary approval of the Settlement.

12 FLSA Collective Class: All persons employed by Defendant who were non-
13 union, non-exempt, hourly employees who were eligible for overtime and incentives under
14 Defendant's pay plans and who were employed in such a position between December 17, 2009
15 and the date of preliminary approval of the Settlement.

16 (6) Plaintiffs are hereby appointed and designated, for all purposes, as the
17 representatives of the Class ("Class Representatives").

18 (7) Thierman Buck, LLP are hereby appointed and designated as counsel for the
19 Class Representatives and the Settlement Class ("Class Counsel"). Class Counsel is authorized
20 to act on behalf of the Settlement Class with respect to all acts or consents required by or which
21 may be given pursuant to the Settlement Agreement, and such other acts reasonably necessary
22 to consummate the Settlement Agreement.

23 (8) The Notice of Settlement of Class Action Litigation ("Notice") attached to the
24 Settlement Agreement as **Exhibit A** is approved.

25 (9) The Claim Form/FLSA Opt-In Form ("Claim Form") attached to the Settlement
26 Agreement as **Exhibit B** is approved.

27 (10) The Exclusion Form attached to the Settlement Agreement as **Exhibit C** is
28 approved.

1 (11) CPT Group is appointed Claims Administrator and is ordered to mail the Notice
2 and Claim Form in the manner provided in the Settlement Agreement and said mailing is
3 approved as the best method for reasonably providing notice to the Settlement Class Members
4 and providing for due process.

5 (12) Preliminary approval is given to the payment of the Claims Administrator's fee.
6 Class Counsel is hereby authorized to make payments from the Gross Settlement Amount to
7 cover settlement administration costs and expenses as specified in the Settlement Agreement.

8 (13) The Court also sets the following dates for purposes of the proposed settlement
9 of this class action:

- 10 a. Defendant to provide a database containing the Class Member information to the
11 Claims Administrator in electronic format by: August 29, 2016.
- 12 b. Funding of Settlement by Defendant: 5 days following to effective date of
13 Settlement.
- 14 c. First mailing to Class: September 1, 2016.
- 15 d. Deadline for filing claims: Must be postmarked by November 30, 2016.
- 16 e. Deadline for objections: Must be postmarked by October 31, 2016.
- 17 f. Deadline for exclusion: Must be received by Claims Administrator no later than
18 October 31, 2016.
- 19 g. Submission of Report of individual Claim Shares for Court Approval: by
20 December 15, 2016.
- 21 h. Plaintiff shall file memorandum of points and authorities in support of the
22 settlement including attorney fees, costs and enhancements: December 9, 2016
23 (10 days before Final Settlement Hearing).
- 24 i. Final Settlement Approval Hearing: January 3, 2017 at 2:30 PM in Courtroom
25 7C.

26 **IT IS SO ORDERED.**

27 Dated this 19th day of August, 2016.

28 

RICHARD F. BOULWARE, II